

ITW

Attorney Docket No.: 20341/73310

OCT 27 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory C. Moser et al. Conf. No.: 4530
Serial No.: 10/813,297 Group: 3634 BARNES & THORNBURG CUSTOMER NO:
Filed: March 29, 2004 Examiner: ----- 23646
For: FOLDABLE SCAFFOLD U.S. PATENT AND TRADEMARK OFFICE

PETITION FOR CORRECTED FILING RECEIPT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Office of Petitions

Sir:

This petition is in response to the RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT mailed September 1, 2004, which states, in part, "a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the 'date in' and be directed to the Office of Petitions."

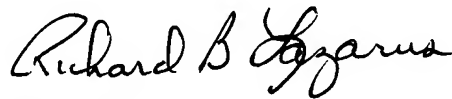
The present application was filed via "Express Mail" on March 30, 2004 as evidenced by the attached Certificate of Mailing by "Express Mail" marked Exhibit A. The "Express Mail" receipt (copy attached as Exhibit B) shows a "date in" of "3 29 4". The "3 29 4" date is incorrect as evidenced by the US Postal Service (USPS) Track and Confirm report (copy attached as Exhibit C) which shows the first date tracked as "March 30, 2004" in Indianapolis, Indiana, the point of mailing. Notwithstanding, the U.S. Patent and Trademark Office mailed a filing receipt (attached as Exhibit D) indicating a filing date of March 29, 2004.

Applicants' reiterate the statements made in the two prior requests for correction and, in view of the above remarks and Exhibits, submit that the present record demonstrates the proper filing date is March 30, 2004, not March 29, 2004. Applicants request a corrected filing receipt showing the filing date as March 30, 2004.

It is respectfully urged that no petition fee is due as no error is attributable to applicants. However, if necessary, a petition fee is authorized to be charged, or any overpayment in fees credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (20341/73310).

Respectfully submitted,

BARNES & THORNBURG

A handwritten signature in black ink, appearing to read "Richard B. Lazarus". The signature is fluid and cursive, with the first name "Richard" and last name "Lazarus" clearly distinguishable.

Richard B. Lazarus
Registration No. 48,215
(202) 371-6348

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Gregory C. Moser et al.

Docket No.

20341-73310

Serial No.

Unknown

Filing Date

Herewith

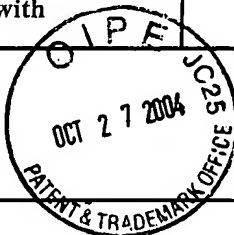
Examiner

Unknown

Group Art Unit

Unknown

Invention: FOLDABLE SCAFFOLD



I hereby certify that the following correspondence:

Utility Patent Application

(Identify type of correspondence)


is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 30, 2004

(Date)

Karen Taylor

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)EL735255393US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.



BEST AVAILABLE COPY

EXPRESS MAIL		POST OFFICE TO ADDRESSEE			
UNITED STATES POSTAL SERVICE®		EL 735255393 US			
ORIGIN (POSTAL USE ONLY)					
PO Zip Code only: 92941	Day of Delivery: <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope: <input checked="" type="checkbox"/>			
Date in: 9/29/04	Postage: \$13.65	SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE			
Mo: 9/29/04	Time in: 12:24	Return Receipt Fee: \$2.80			
Weight: 10.4 lbs.	Int'l Alpha Country Code: 218	COD Fee: \$0.00 Insurance Fee: \$0.00			
No Delivery: <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk: [Signature]	Total Postage & Fees: \$13.65			
CUSTOMER USE ONLY					
METHOD OF PAYMENT: X462220					
Express Mail Corporate Acct. No. 317-231-7404					
FROM: (PLEASE PRINT) Karen Taylor BARNES & THORNBURG 11 S MERIDIAN ST STE 400 INDIANAPOLIS IN 46204-3511 20341-73310			TO: (PLEASE PRINT) MAIL STOP PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
FOR PICKUP OR TRACKING CALL 1-800-222-1811 WWW.USPS.COM					

Customer Copy
Label 11-F August 2000



BEST AVAILABLE COPY

Track & Confirm

Shipment Details

You entered EL73 5255 393U S

Your item was delivered at 9:14 am on March 31, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON.

Here is what happened earlier:

- ARRIVAL AT UNIT, March 31, 2004, 8:20 am, DULLES, VA 20102
- ACCEPTANCE, March 30, 2004, 6:28 pm, INDIANAPOLIS, IN 46251
- ENROUTE, March 30, 2004, 5:55 pm, INDIANAPOLIS, IN 46251

Notification Options

▶ Track & Confirm by email

[What is this?](#)

Go >

▶ Request Proof of Delivery

[What is this?](#)

Go >



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



EXHIBIT D

RECEIVED Page 1 of 2

JUN 21 2004

BARNES & THORNBURG LLP

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/813,297	03/29/2004	3634	1338	20341-73310	13	42	5

CONFIRMATION NO. 4530

23643
BARNES & THORNBURG
11 SOUTH MERIDIAN
INDIANAPOLIS, IN 46204

FILING RECEIPT



OC000000012955130

Date Mailed: 06/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gregory C. Moser, Columbus, IN;
Paul F. Meyers, Fishers, IN;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/493,671 08/08/2003

Foreign Applications

If Required, Foreign Filing License Granted: 06/15/2004

Projected Publication Date: 02/10/2005

Non-Publication Request: No

Early Publication Request: No

Title

Foldable scaffold

Preliminary Class